IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6020 OF 2002

Rahul Duggar & ors. ... Petitioners

V/s

Anand Khemka & ors. ... Respondents

Mr. Gaurav Joshi with Mr. naushad engineer and Sunil Gangan i/by R.M.G. Law & Associates for the petitioner.

Mr. A.Y. Sakhare, Sr. Advocate i/by Girish Godbole for the respondent No.1.

CORAM: P.V. KAKADE, J.
DATED: 3RD MARCH, 2006

OPERATIVE ORDER

. For the reasons separately recorded, following order is passed:

1. In the circumstances, Rule is made absolute and petition is allowed in terms of prayer clauses (a), (b) and (c) except for bracketed portion i.e. relief clauses (c) and (g) in Application No. 52 of 1998.

2. The learned counsel for the respondents made submission that the order should be stayed for some time. As the facts involved herein have revealed that the respondents have not paid the amount of compensations/damages for the period of five years and

more at the rate of Rs. One lac per month, it would be in the interest of justice to issue conditional order.

Hence, the execution of the order shall stand stayed for eight weeks provided the respondents deposit 50% of the decretal amount within two weeks from the date of this order failing which the stay shall stand vacated without reference to the Court. It is also clarified that no further extension in this regard shall be allowed by this Court.

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